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IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA

1350  
Vamsidhar R. Vurimindi  
313 Arch St., Unit 607  
Philadelphia, PA 19106  
Plaintiff

Civil Action

NO: \_\_\_\_\_

09 - 5976

V.

Mr. Dan Achek

1009 Jones Rd, Gulph Mills, PA 19428,

Mrs. Maya Maha Elkansa

1009 Jones Rd, gulph Mills, PA 19428,

M/s. Achek Design & Construction Co, Inc.

1009 Jones Rd, Gulph Mills, PA 19428,

Mr. Alex Lopez

239-265 West Bristol St., Phila., PA 19140,

ALX General Construction LLC

5071 Whitaker Ave., Phila., PA 19140,

Mr. Henry I. Langsam

1616 Walnut St., Ste. 1700, Phila., PA 19103,

Mr. Bart Sacks

199 West Johnson Hwy., East Norriton, PA 19401,

S & L Investments

307 Florence Ave., Apt. 107, Jenkintown, PA 19046,

Mrs. Juliet Whelan

813 S. 4<sup>th</sup> St., Phila., PA 19147,

Mr. James Gabriel

Plans Examiner, Dept. of L & I

1401 JFK Blvd, Phila., PA 19102,

Mr. Edward Devlin

Inspector Trainee, Dept. of L & I, North Dist.

601 W. Lehigh, Phila., PA 19133,

Mrs. Frances Burns, Commissioner

Dept. L & I

1401 JFK Blvd. 11<sup>th</sup> Flr., Phila., PA 19102 and

City of Philadelphia, c/o City Solicitor's Office

One Parkway, 1515 Arch St., 15<sup>th</sup> Flr., Phila., PA 19102

Defendants,

NOTICE OF REMOVAL

To the Honorable Judges of the United States District Court for the Eastern District of Pennsylvania.

Pursuant to 28 U.S.C. § 1441, defendants, James Gabriel, Edward Devlin, Frances Burns and City of Philadelphia (hereinafter "petitioners") through their counsel, Jeffrey S. Simons, Assistant City Solicitor, respectfully petition for the removal of this action to the United States

FILED  
DEC 16 2009  
MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

District Court for the Eastern District of Pennsylvania. In support thereof, defendants state the following:

1. In August 2009, plaintiff initiated this action by a Complaint in the Court of Common Pleas in Philadelphia, August 2009, No. 001271. (Exhibit A - Complaint).
2. On November 17, 2009, said Complaint was served on Petitioners electronically at 1515 Arch Street, 14th Floor, Philadelphia, Pennsylvania.
3. Plaintiff alleges that on September 13, 2008 , he sustained damages when his civil rights were violated by the defendants. (Exhibit A ).
4. This action may be removed to this Court pursuant to 28 U.S.C. § 1441 since Plaintiff's Complaint contains allegations of violations of the plaintiff's Federal Civil Rights and seeks relief under 42 U.S.C. § 1983. (Exhibit A )

**Wherefore**, petitioners, James Gabriel, Edward Devlin, Frances Burns and City of Philadelphia, respectfully request that the captioned Complaint be removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

Craig Straw  
Chief Deputy City Solicitor

  
\_\_\_\_\_  
**JEFFREY S. SIMONS**  
**Assistant City Solicitor**  
**Attorney I.D. No. 93784**  
1515 Arch Street, 14<sup>th</sup> Floor  
Philadelphia, PA 19102  
215-683-5443

Date: 12/15/09

IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA

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Vamsidhar R. Vurimindi  
313 Arch St., Unit 607  
Philadelphia, PA 19106

Plaintiff

Civil Action

NO: \_\_\_\_\_

v.

Mr. Dan Achek

1009 Jones Rd, Gulph Mills, PA 19428,

Formerly

Mrs. Maya Maha Elkansa

1009 Jones Rd, gulph Mills, PA 19428,

Court of Common Pleas

M/s. Achek Design & Construction Co, Inc.

1009 Jones Rd, Gulph Mills, PA 19428,

Philadelphia County

Mr. Alex Lopez

239-265 West Bristol St., Phila., PA 19140,

Trial Division - Civil

ALX General Construction LLC

5071 Whitaker Ave., Phila., PA 19140,

August Term 2009

Mr. Henry I. Langsam

1616 Walnut St., Ste. 1700, Phila., PA 19103,

No. 001271

Mr. Bart Sacks

199 West Johnson Hwy., East Norriton, PA 19401,

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Mrs. Juliet Whelan

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City of Philadelphia, c/o City Solicitor's Office

One Parkway, 1515 Arch St., 15<sup>th</sup> Flr., Phila., PA 19102

Defendants

**NOTICE OF FILING OF REMOVAL**

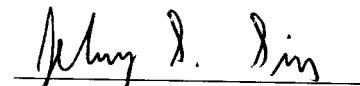
TO: **Melissa A. Montgomery, Esq.**  
1500 Market St., Suite 2920  
Philadelphia, PA 19102

**Paul Cottrell**  
One Customs House, Suite 500  
704 King Street  
P. O. Box 1031  
Wilmington, DE 19899

**Douglas Evan Ress**  
1717 Arch St., Suite 3710  
Philadelphia, PA 19103

PLEASE TAKE NOTICE THAT on December 15, 2009, defendants, James Gabriel, Edward Devlin, Frances Burns and City of Philadelphia filed, in the office of the Clerk of the United States District Court for the Eastern District of Pennsylvania a verified Notice of Removal.

A copy of this Notice of Removal is attached hereto and is also being filed with the Clerk of the Court of Common Pleas of Philadelphia County, pursuant to Title 28, United States Code, Section 1446(e).



**JEFFREY S. SIMONS**

**Assistant City Solicitor**

**Attorney I.D. No. 93784**

City of Philadelphia Law Department

1515 Arch Street, 14<sup>th</sup> Floor

Philadelphia, PA 19102

215-683-5443

Vamsidhar R. Vurimindi  
313 Arch St., Unit 607  
Philadelphia, PA 19106

Plaintiff

Civil Action

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Defendants,

Formerly

Court of Common Pleas

Philadelphia County

Trial Division - Civil

August Term 2009

No. 001271

**CERTIFICATE OF SERVICE**

I, Jeffrey S. Simons, Assistant City Solicitor do hereby certify that a true and correct copy of the attached Notice of Removal has been served upon the following by First Class Mail, postpaid, on the date indicated below:

TO: **Melissa A. Montgomery, Esq.**  
1500 Market St., Suite 2920  
Philadelphia, PA 19102

**Paul Cottrell**  
One Customs House, Suite 500  
704 King Street  
P.O. Box 1031  
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Date: 12/15/09